

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

KATHERINE BARNES, ETTA LOBEL, AND
STEPHANIE NOVAK, individually and on
behalf of all others similarly situated,

Plaintiffs,

- against -

WAKEFERN FOOD CORP.,

Defendant

7:22-cv-06089-PMH

Plaintiffs' Motion
for Class Certification

PLEASE TAKE NOTICE that, upon the accompanying Memorandum of Law in Support of Katherine Barnes, Etta Lobel, and Stephanie Novak's ("Plaintiffs") Motion for Class Certification, accompanying declarations, and any exhibits; all papers on file in this action; and, such further evidence as the Court may require, Plaintiffs will move this Court, before the Honorable Philip M. Halpern, at the Courthouse, 300 Quarropas St, White Plains NY 10601, on a date and time that the Court will determine, for an Order pursuant to Federal Rules of Civil Procedure 23(a), (b), and (c):

1. Certifying all persons who purchased Bowl & Basket's brand of graham crackers, labeled with the sweeteners of sugar and honey ("Product"), sold by Wakefern Food Corp. ("Defendant"), in New York, during the relevant statutes of limitations, excluding the judge or magistrate assigned to this case; Defendant; any entity in which Defendant has a controlling interest; Defendant's officers, directors, legal representatives, successors, and assigns, and persons who purchased the Product for the purpose of resale;
2. Appointing Katherine Barnes, Etta Lobel, and Stephanie Novak as representatives of the Class; and

3. Appointing Sheehan & Associates P.C. as Class Counsel.

Dated: July 18, 2024

Respectfully submitted,

/s/Spencer Sheehan

Sheehan & Associates P.C.

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Certificate of Service

I certify that on July 18, 2024, I served and/or transmitted the foregoing by the method below to the persons or entities indicated, at their last known address of record (blank where not applicable).

	Electronic Filing	First-Class Mail	Email	Fax
Defendant's Counsel	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Plaintiffs' Counsel	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Courtesy Copy to Court	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

/s/ Spencer Sheehan